

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

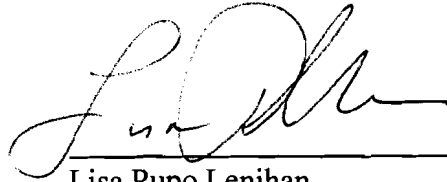
YVONNE BROWN; CALVIN JOHNSON;	)	
LEATRICE JOHNSON; UNIQUE	)	Civil Action No. 04 - 1695
BROWN; and YVONNE O. BROWN,	)	
	)	Judge Joy Flowers Conti /
Plaintiff,	)	Magistrate Judge Lisa Pupo Lenihan
	)	
v.	)	
	)	
DETECTIVE KNOX, in his individual and	)	
official capacity; PTLM. MARK WILSON;	)	
in his individual and official capacity as a	)	
police officer; SGT. MORRISON, in his	)	
individual and official capacity as a police	)	
officer; DETECTIVE JINGLING, unknown	)	
first name, in his individual and official	)	
capacities, YINGLING is employed by	)	
Allegheny County Homicide Division;	)	
DEPUTY CORNER DOMINIC of the	)	
Office of the Allegheny County Coroner	)	
Allegheny County PA, and the Coroner's	)	
Office,	)	
	)	
Defendant.	)	

**ORDER**

Plaintiff filed a "Motion Not to Dismiss" on December 6, 2005, which this Court interprets as a Response to Defendant's Motion to Dismiss. Therefore

**IT IS ORDERED** this 4<sup>th</sup> day of January, 2006, that Plaintiff's "Motion Not to Dismiss" is **TERMINATED**. The Court will consider Plaintiff's December 6, 2005 filing as a timely Response to Defendant's Motion to Dismiss.

**IT IS FURTHER ORDERED** that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Rule 72.1.3(B) of the Local Rules for Magistrates. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

  
\_\_\_\_\_  
Lisa Pupo Lenihan  
United States Magistrate Judge

cc: Yvonne F. Brown  
2633 Brackenridge Street  
Pittsburgh, PA 15219

Lisa M. Passarello  
Buchanan Ingersoll  
301 Grant Street  
One Oxford Centre, 20th Floor  
Pittsburgh, PA 15219

Gregory A. Miller  
Buchanan Ingersoll  
301 Grant Street  
One Oxford Centre, 20th Floor  
Pittsburgh, PA 15219